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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/535,348	05/18/2005	Franz Amtmann	AT02 0068 US	7144
65913	7550	08/10/2009		
NXP, B.V. NXP INTELLECTUAL PROPERTY & LICENSING M/S41-SJ 1109 MCKAY DRIVE SAN JOSE, CA 95131			EXAMINER BROWN, VERNAL U	
			ART UNIT 2612	PAPER NUMBER
			NOTIFICATION DATE 08/10/2009	DELIVERY MODE ELECTRONIC

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

ip.department.us@nxp.com

### Office Action Summary

**Application No.**

10/535,348

**Applicant(s)**

AMTMANN ET AL.

**Examiner**

VERNAL U. BROWN

**Art Unit**

2612

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE \_\_\_\_ MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 29 April 2009.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-14 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-3, 5 and 13 is/are rejected.
- 7) ☐ Claim(s) 4, 6-12, 14 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-8508)  
Paper No(s)/Mail Date \_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_

### **DETAILED ACTION**

This action is responsive to communication filed on 4/29/09.

#### ***Response to Arguments***

Applicant argues on pages 6-7 that the reference of Walczak is silent on teaching the check sequence block include data that is significant for a group of transponders. It is the examiner's position that the reference of Walczak et al. teaches the information sequence block transmitted to the transponder includes data that is significant for a group of transponder by including the group identification in the transmitted information sequence (col. 4 lines 35-46). Walczak et al. also teaches that each information sequence is verified as the corresponding check sequence is received and the check sequence is calculated from the information sequence (col. 3 lines 30-35). It is therefore the examiner's position that the check byte is inherently significant for the group of transponder because the check byte is generated based on the information sequence and the information sequence includes the 16 bits transponder group identification and the check byte is also used to verify the information sequence and the group identification is included in the information sequence.

#### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1, 3, 5, and 13 are rejected under 35 U.S.C. 102(b) as being anticipated by Walczak et al. US Patent 5818348.

Regarding claims 1, 3, 5, 13, Walczak et al. teaches a communication station (interrogator) delivering a request signal to a transponder (col. 3 lines 57-60) and the request signal to the transponder includes a command data block and a check data block (col. 4 line 63- col. 5 line 6). Walczak et al. teaches the ID transmitted to the transponder represent a group identification (col. 4 lines 35-46) and teaches the information sequence and the check data is evaluated in the transponder (col. 3 lines 26-35). Walczak et al. also teaches that each information sequence is verified as the corresponding check sequence is received and the check sequence is calculated from the information sequence (col. 3 lines 30-35). It is therefore the examiner's position that the check byte is inherently significant for the group of transponder because the check byte is generated based on the information sequence and the information sequence includes the 16 bits transponder group identification. Walczak et al. also teaches using the check byte to perform error correction (col. 3 lines 33-34).

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 2, are rejected under 35 U.S.C. 103(a) as being unpatentable over Walczak et al. US Patent 5818348 in view of Meier European Paten Application EP 0805575.

Regarding claim 2, Walczak et al. teaches the information sequence block transmitted to the transponder includes data that is significant for a group of transponder by including the group identification in the transmitted information sequence (col. 4 lines 35-46). Walczak et al. also teaches that each information sequence is verified as the corresponding check sequence is received and the check sequence is calculated from the information sequence (col. 3 lines 30-35). It is therefore the examiner's position that the check byte is inherently significant for the group of transponder because the check byte is generated based on the information sequence and the information sequence includes the 16 bits transponder group identification. Walczak et al. is not explicit in teaching the selection of the CRC data block. Meier in an analogous art teaches a transponder comprising a CRC data block generation means provided by linear feedback shift registers and teaches the CRC data block is based on the predetermined CRC algorithm and the initial state of the data flip flop which forms the start value (page 4 lines 20-35). Meier teaches preprogramming the shift registers with a start value memory means provided by the cipher key EEPROM (58) and the start value memory is programmable by the interrogator with different start values (page 4 lines 36-50).

It would have been obvious to one of ordinary skill in the art to modify the system of Walczak et al. as disclosed by Meier because the programming of CRC generator start value provides for the creation of a unique signature error detection system and further increases the data security of the system.

***Allowable Subject Matter***

Claims 4, 6, 8-9, 11-12, and 14 objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Regarding claims 4, 6, 8-9, 11-12, the prior art of record fail to teach or suggests the start value means stores a group –significant start value.

Regarding claim 14, the prior art of record fail to teach or suggested that transponder process the command only if the transponder belong to the group of transponder identified by the check byte.

***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to VERNAL U. BROWN whose telephone number is (571)272-3060. The examiner can normally be reached on 8:30-5:00 M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Brian Zimmerman can be reached on 571-272-3059. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Vernal U Brown/  
Examiner, Art Unit 2612  
July 27, 2009